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Attorneys for Plaintiffs  
Berti Produce – San Francisco, Inc.; Edwin Chin  
dba New City Fruit & Produce; Jacobs, Malcolm & Burt;  
North Bay Produce, Inc.; Washington Vegetable Company;  
What A Tomato Produce Company, Inc.; and Coosemans  
San Francisco, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERTI PRODUCE – SAN FRANCISCO,  
INC.; EDWIN CHIN dba NEW CITY FRUIT  
& PRODUCE; JACOBS, MALCOLM &  
BURTT; NORTH BAY PRODUCE, INC.;  
WASHINGTON VEGETABLE COMPANY;  
WHAT A TOMATO PRODUCE COMPANY,  
INC.; and COOSEMANS SAN FRANCISCO,  
INC.,

Plaintiffs,

v.

ROBERT SBRAGIA; JOHN SBRAGIA;  
STEVEN SBRAGIA; and PATRICIA CINI  
aka PATTI CINI,

Defendants.

**CASE NO. C11-03546 MEJ**

**STIPULATION & REQUEST TO  
EXTEND DEADLINE FOR ADR  
SESSION, DISCOVERY, &  
DISPOSITIVE MOTIONS**

Plaintiffs and Defendants respectfully request that the Court extend the deadline to hold an ADR session from July 15, 2012 to August 11, 2012. This is the parties' second request for an extension. Although they have attempted to schedule the mediation session, because one of the defendants has a new job and the others are unable to attend on the dates available, the

parties are unable to schedule the mediation before the deadline. Given the number of parties involved, obtaining a mutually available date has been difficult, but the parties, their attorneys, and the mediator are committed to reschedule the mediation session as soon as possible.

Counsel for both parties believe that mediation may be fruitful, and they are engaging in informal settlement discussions, but they would appreciate this extension to insure that the mediation session will take place should informal discussions not result in a resolution of the dispute.

Trial is not scheduled until March 4, 2013; however, five deadlines will be affected by the extension of the mediation deadline. As a result, the parties also respectfully request that

<u>Action</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Disclosure of Expert Witnesses	08/03/2012	09/03/2012
Disclosure of Rebuttal Experts	08/13/2012	09/13/2012
Discovery Cutoff	08/28/2012	10/13/2012
Dispositive Motions Must Be Filed, Served, & Noticed	09/27/2012	11/15/2012
Hearing On Dispositive Motions	11/01/2012	12/20/2010

Date: July 12, 2012

RYNN & JANOWSKY, LLP

By: /s/ Marion I. Quesenbery  
Marion I. Quesenbery  
Attorneys for Plaintiffs

Date: July 12, 2012

COHEN AND JACOBSON, LLP

By: \_\_\_\_\_  
Lawrence A. Jacobson  
Attorney for Defendants

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Attorneys for Plaintiffs

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COHEN AND JACOBSON, LLP

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Lawrence A. Jacobson  
Attorney for Defendants

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**IT IS SO ORDERED.** The following deadlines and dates contained in the Case Management Order dated February 24, 2012 are changed: (1) for the parties to complete ADR to August 11, 2012, (2) for the disclosure of experts to September 3, 2012, (3) for the disclosure of rebuttal experts to September 13, 2012, (4) for the discovery cutoff to October 13, 2012, (4) for filing, service, and noticing of dispositive motions to November 15, 2012, and (5) for the hearing date for dispositive motions December 20, 2012 at 10:00 a.m. All subsequent pretrial and trial deadlines are VACATED.

Date: July 23, 2012

  
\_\_\_\_\_  
Chief Magistrate Judge Maria-Elena James

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